

Remarks

Claims 1-8 & 10-20 are at issue. Claims 8-10 and 13-19 stand rejected under 35 USC 102(b) as be anticipated by Lizzio (US 6,257,434 B1). Claims 1-2, 4 & 7 stand rejected under 35 USC 103 (a) as being unpatentable over Betras (US 5,996,836) in view of Magee (US 6,394,329). Claim 6 stands rejected under 35 USC 103 (a) as being unpatentable over Betras (US 5,996,836) in view of Magee (US 6,394,329) and further in view of Lizzio. Claims 11 & 20 stand rejected under 35 USC 103 (a) as being unpatentable over Lizzio in view of McDonald (US 5609277). Claim 12 stands rejected under 35 USC 103 (a) as being unpatentable over Lizzio in view of Magee.

Claims

1) Accordion Hinge

The Patent Office points to the accordion pleats 158 of Magee as showing the hinge in the second planar cover (see below). Magee states that accordion pleats "make the frame more flexible without compromising strength." Magee never says that the accordion pleats would act as a hinge. The standard use of accordion pleats in plastic parts is to allow the device to expand in size, but not to act as a hinge. The applicant respectfully submits that the Patent Office is reading a hinge into Magee that is not there.

All the independent claims 1, 8 & 15 have been amended to make it clear that the carrier or second planar cover with the opening has a hinge 220B that divides the cover into two portions 240A and 240B. The portion 240B is able to pivot with respect to the first portion 240A along the hinge line. This hinge helps hold a bottle in the carrier. The patent office points to Magee as showing this hinge line, but a bend is not a hinge – this has been made extremely clear in the claims. None of the other reference cited by the Patent Office show a cover with a working hinge in the cover. All the independent claims are allowable.

2) Ledge on first cover

Claims 1, 10 & 15 have been amended to require a ledge on the first cover, wherein the ledge reduces the chances of the universal carrier from dislodging from behind a user's belt. The ledge is element 340. This is not shown in the prior art. Claims 1, 10 & 15 are allowable.

3) Card Slot

Claim 8 has been amended to require a slot for holding a card. This slot (250) is designed to hold a credit card, license, debit card, or similar card. This is not shown in the prior art. Claim 8 is allowable.

Claims 2-7, 11-13 & 17-20 are allowable as being dependent upon an allowable base claim.

Claim 16 is allowable for the same reasons as claim 15.

Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,
(Roh)

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